

**REDACTED**

**CUSTOMER CLAIM**

Claim Number \_\_\_\_\_

Date Received \_\_\_\_\_

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

Irving H. Picard, Esq.  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

Provide your office and home telephone no.

OFFICE: 860-210-2190

HOME: 860-355-9837

Taxpayer I.D. Number (Social Security No.)  
-2395

Account Number: 1ZB547

LINDA BERGER  
HOWARD BERGER J/T WROS  
27 HOLIDAY POINT ROAD  
SHERMAN, CT 06784

(If incorrect, please change)

**NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

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1. Claim for money balances as of December 11, 2008:
  - a. The Broker owes me a Credit (Cr.) Balance of \$ 0.
  - b. I owe the Broker a Debit (Dr.) Balance of \$ 0.

c. If you wish to repay the Debit Balance,  
please insert the amount you wish to repay and  
attach a check payable to "Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC."  
If you wish to make a payment, it must be enclosed  
with this claim form.

\$ \_\_\_\_\_

d. If balance is zero, insert "None." \_\_\_\_\_ None \_\_\_\_\_

2. Claim for securities as of December 11, 2008:

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

	<u>YES</u>	<u>NO</u>
a. The Broker owes me securities	<u>X</u>	_____
b. I owe the Broker securities	_____	<u>X</u>
c. If yes to either, please list below:		

Number of Shares or  
Face Amount of Bonds

Date of Transaction (trade date)	Name of Security	The Broker Owes Me (Long)	I Owe the Broker (Short)
See Nov. 30, 2008 ZB547 statements, attached hereto as Exhibit A	_____	_____	_____
\$314,117.49 (market value of securities long, per ZB547-3 statement)	_____	_____	_____
9,900.00 (market value of securities long, per ZB547-4 statement)	_____	_____	_____
(13,980.00) (market value of securities short, per ZB547-4 statement)	_____	_____	_____
TOTAL \$310,037.49	_____	_____	_____

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

**information regarding any withdrawals you have ever made or payments received from the Debtor.** See Exhibits A and B, and documents submitted herewith.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**

**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**

	<u>YES</u>	<u>NO</u>
3. Has there been any change in your account since December 11, 2008? If so, please explain.	_____	X
4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?	_____	X
5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?	_____	X
6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	_____	X
7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.	_____	X
8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.	_____	X

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? If so, give name of that broker.

X

Please list the full name and address of anyone assisting you in the preparation of this claim form: Jennifer L. Young, Esq., Milberg LLP, One Pennsylvania Plaza, New York, NY 10119

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

Date 2/18/09

Signature Linda Berger

Date 2-18-09

Signature [Signature]

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

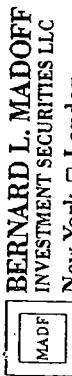
**This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

Affiliated with  
 Madoff Securities International Limited  
 12 Berkeley Street  
 " Mayfair, London W1J 8DT  
 Tel 020 7493 6222

**BERNARD L. MADOFF**  
 INVESTMENT SECURITIES LLC  
 New York □ London

LINDA BERGER  
 HOWARD BERGER J/T WROS  
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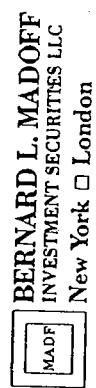


885 Third Avenue  
 New York, NY 10022  
 (212) 230-2424  
 800 334-1343  
 Fax (212) 838-4061

11/30/08 1  
 11/30/08 \*\*\*\*\*2395  
 SECURITY ACCOUNT NUMBER  
 11/28547-3-0

DATE	BOUGHT RECEIVED	SOLED DELIVERED	DEBTOR NAME	DESCRIPTION	PRICE OR SYMBOL OF STOCK	AMOUNT DEBITED TO OUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
				BALANCE FORWARD			17,774.07
11/12	252		1608	HEWLETT PACKARD CO	29.800	7,519.60	
11/12	180		2110	HEWLETT PACKARD CO	34.900	6,289.00	
11/12	156		5934	WAL-MART STORES INC	55.830	8,715.48	
11/12	102		6636	INTERNATIONAL BUSINESS MACHINES	87.720	8,905.54	
11/12	378		10260	EXXON MOBIL CORP	72.380	27,562.64	
11/12	414		10762	INTEL CORP	74.510	6,023.14	
11/12	198		15088	JOHNSON & JOHNSON	59.580	11,803.84	
11/12	270		19613	J.P. MORGAN CHASE & CO	38.520	10,613.10	
11/12	144		23739	KODAK CORP	44.660	6,136.04	
11/12	84		28065	MCDONALD'S CORP	55.370	4,654.08	
11/12	156		32391	MERCK & CO	28.550	4,459.80	
11/12	570		36717	MICROSOFT CORP	21.810	12,453.70	
11/12	288		41063	ORACLE CORPORATION	17.500	1,923.40	
11/12	114		54021	PESTICOT INC	56.410	6,434.74	
11/12	66		54523	APPLE INC	100.780	6,165.48	
11/12	486		58347	PEIZER INC	16.940	8,251.84	
11/12	114		58849	ABBOTT LABORATORIES	53.610	6,229.51	
11/12	216		62673	PROCTER & GAMBLE CO	64.080	13,849.28	
11/12	78		63175	AMGEN INC	59.160	4,617.48	
11/12	150		66399	PHILLIPS MORRIS INTERNATIONAL	43.600	6,546.00	
11/12	360		67201	BANK OF AMERICA	21.590	7,786.40	
11/12	120		71325	QUALCOMM INC	33.770	4,056.40	
11/12	390		71827	CITI GROUP INC	12.510	4,893.90	
				CONTINUED ON PAGE	2		

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES



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 SHERMAN CT 06784

Affiliated with  
 Madoff Securities International Limited  
 12 Berkeley Street  
 Mayfair, London W1J 8DT  
 Tel 020 7493 6222

DATE	BOUGHT RECEIVED ON LONG	SOLD DELIVERED OR SHORT	TRAN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
1/12	90			76651 SCHLUMBERGER LTD	49.480	4,456.20	
1/12	216			76153 COMCAST CORP	16.510	3,574.16	
1/12	426			79977 AT&T INC	27	11,519.00	
1/12	108			80479 CONOCOPHILIPS	52.510	5,675.08	
1/12	72			84303 UNITED PARCEL SVC INC	52.040	3,748.88	
1/12	438			84805 CISCO SYSTEMS INC	18.730	7,344.74	
1/12	126			88629 U S BANCORP	29.530	3,725.78	
1/12	150			89131 CHEVRON CORP	73.620	11,020.30	
1/12	72			92255 UNITED TELECOM GROUP	53.420	13,329.52	
1/12	762			93457 GENERAL ELECTRIC CO	19.830	14,988.00	
1/12	204			97281 VERIZON COMMUNICATIONS	30.410	6,211.64	
1/12	18			97782 GOOGLE	337.400	6,073.20	
1/12	275,000		24214	U.S. GOVERNMENT DUE 2/12/2009	155.936	27,482.40	
1/12					2/12/2009		
1/12				FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	DIV	32.87	
1/12	29,847	19318		FIDELITY SPARTAN	1	29,847.00	
1/12	31,776	28886		U.S. TREASURY MONEY MARKET	1	31,776.00	
1/19				FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	DIV	3.90	
				DIV 1/19/08			
				CONTINUED ON PAGE 3			



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 New York □ London

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DATE	SECURITY POSITION	QUANTITY	PRICE OR AMOUNT	AMOUNT DEBITED TO OUR ACCOUNT	AMOUNT CREDITED FROM OUR ACCOUNT
11/19	31,776 54229 FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	1	99.925		31,776.00
11/19	25,000 58648 U.S. TREASURY MONEY MARKET DUE 03/26/2009	1	99.925	24,981.50	
11/19	24,775 63265 FIDELITY SPARTAN U.S. TREASURY MONEY MARKET	1	99.925	24,775.00	
	NEW BALANCE				34,538.98
	SECURITY POSITIONS				
	ACI INC	426	147.56	28.560	
	ABBOTT LABORATORIES	114	52.390		55.540
	AMGEN INC	78	52.390		52.390
	AT&T INC	66	55.540		55.540
	BANK OF AMERICA	360	16.250		16.250
	CHEVRON CORP	150	79.010		79.010
	CISCO SYSTEMS INC	138	16.560		16.560
	COMCAST CORP	390	17.340		17.340
	COCA-COLA CO	144	46.870		46.870
	COMCAST CORP	216			
	CLIA	108			
	GENERAL MILLS INC	378	52.520		52.520
	EXXON MOBIL CORP	762	80.150		80.150
	GENERAL ELECTRIC CO				17.170
	CONTINUED ON PAGE				

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SHERMAN



**4**  
11/30/08  
**1-ZB547-3-0**  
\*\*\*\*\*2395  
YOUR ACCOUNT NUMBER  
AMOUNT PAID/ENTRANCE NUMBER  
\*\*\*\*\*2395

*****2395					
DATE	BOUGHT RECEIVED OR LONG	SOLD DELIVERED OR SHORT	TEN	DESCRIPTION	PRICE OR SYMBOL AMOUNT DEBITED TO YOUR ACCOUNT
18				GOOGLE	292.960
180				HEWLETT PACKARD CO	35.280
414				HP INC CORP	13.800
102				INTERNATIONAL BUSINESS MACHS	81.600
270				J.P. MORGAN CHASE & CO	31.660
198				JOHNSON & JOHNSON	58.580
84				KODAK INC CORP	58.750
156				LEHRER & CO	28.720
570				MICROSOFT CORP	20.220
288				ORACLE CORPORATION	16.090
114				PENSKE LEASING	5.570
486				PAPER INC	18.430
150				PHILLIP MORRIS INTERNATIONAL	42.160
216				PROCTER & GAMBLE CO	64.350
120				REED MID-CONTINENT INC	1.570
90				SCHINNENGER LTD	50.740
24,775				FIDELITY SPARTAN	1
				U.S TREASURY MONEY MARKET	
				U.S BANCORP	
				UNITED PARCEL SVC INC	
				CLASS B	
				U.S TREASURY BILL	
				DU 03/26/2009	
				3/26/2009	
25,000				UNITED TECHNOLOGIES CORP	48.530
72				CONTINUED ON PAGE 5	





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 INVESTMENT SECURITIES LLC  
 New York □ London  
 LINDA BERGER  
 HOWARD BERGER J/T WRCS  
 27 HOLIDAY POINT ROAD  
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DATE	BOUGHT RECEIVED ON LONG	SOLD DELIVERED OR SHORT	DESCRIPTION	PRICE OR SYMBOL (Symbol or Name of Security or Contract)	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
					PERIOD ENDING	PAGE
11/12			BALANCE FORWARD			17,775.00
11/12	6	45369	SEP 100 INDEX NOVEMBER 450 CALL	15.800		9,474.00
11/19	6	49695	S & P 100 INDEX NOVEMBER 450 PUT	17.800	10,686.00	
11/19	6	35795	S & P 100 INDEX DECEMBER 430 CALL	26		15,534.00
11/19	6	40124	S & P 100 INDEX DECEMBER 420 PUT	30	18,006.00	
11/19	6	44449	S & P 100 INDEX NOVEMBER 450 CALL	3		1,806.00
11/19	6	48774	S & P 100 INDEX NOVEMBER 450 PUT	37		22,194.00
			NEW BALANCE			34,539.00
			SECURITY POSITIONS	MKT PRICE		
			S & P 100 INDEX DECEMBER 430 CALL	12.3300		
			S & P 100 INDEX DECEMBER 420 PUT	16.500		
			MARKET VALUE OF SECURITIES			
			LUNG SHORT			
			9,900.00 13,980.00-			

PLEASE RETAIN THIS STATEMENT FOR INCOME TAX PURPOSES

**EXHIBIT B**

1. This Claim Form, exhibits, and supporting documentation (collectively "Claim Form") is submitted pursuant to the December 23, 2008 Order of the Honorable Burton R. Lifland and the instructions disseminated by Irving H. Picard, Trustee for Bernard L. Madoff Investment Securities LLC ("Trustee"), on December 11, 2008.
2. The information provided in the Claim Form is based on information provided in the Claimant's latest Madoff account statement and additional information known by the Claimant as of the date of the submission of the Claim Form. The Claimant reserves the right to amend and/or supplement this Claim Form upon the receipt of further information, or upon request by the Trustee for additional information.
3. The Claimant reserves the right to amend the Claim Form in the event of any recoveries by the Trustee or any other party under the avoidance powers of the Bankruptcy Code or otherwise, or in the event of rejections of executory contracts pursuant to Bankruptcy Code Section 365, whether such amendments are made pursuant to Bankruptcy Code Sections 105, 502(g), or 502(h), Bankruptcy Rule 3002(c)(3), (4), other provisions of applicable bankruptcy law, or general principles of law or equity.
4. The Claimant hereby requests that the Claim Form be considered as a proof of claim in *In re Bernard L. Madoff Investment Securities LLC*, No. 08-01789 (Bankr. S.D.N.Y.).
5. This Claim Form is required to be submitted pursuant to the Court's January 2, 2009 Order and the Trustee's instructions to the Claimant. To the extent permitted by applicable law, the Claimant does not, by submitting the Claim Form, consent to the jurisdiction of the Bankruptcy Court nor does Claimant waive any right to trial by jury.
6. The Claimant reserves all rights, claims, and/or defenses as to and/or against any and all parties potentially liable for the losses sustained by the Claimant, including, without limitation, Bernard L. Madoff Investment Securities LLC and its owners, partners, employees, and affiliates, as well as any potentially liable third parties including, without limitation, investment advisors, "feeder funds," accountants, and auditors.
7. The Claimant further reserves all rights, claims, and/or defenses as to and/or against any persons and/or creditors asserting claims against Bernard L. Madoff Investment Securities LLC, its employees, owners, and/or affiliates, in bankruptcy or otherwise.

8. The Claimant reserves all objections as to the competence, relevance, materiality, privilege, or admissibility of evidence in any subsequent proceeding or trial of this or any other action for any purpose whatsoever, notwithstanding the submission of any such information to the Trustee.
9. To the extent the Claimant has disclosed to the Trustee documents containing accounting and/or legal advice, the Claimant does not waive any potential privileges applicable thereto.
10. The Claimant reserves all rights with respect to submitting information to the Internal Revenue Service regarding gains, losses, and/or theft of assets.
11. The Claim Form and supporting documents contain confidential information. The Claimant submits this information to the Trustee subject to the condition that this information will not be disclosed to any third parties, other than under seal to the Court, absent the Claimant's express consent or Court order.
12. The Claimant submits herewith documents in support of the Claimant's claim, including documents containing information regarding account transactions, such as contributions and/or withdrawals. The Claimant reserves any arguments that such documents are not relevant to the Trustee's inquiry. The Claimant further reserves the right to supplement this submission, including the submission of additional documents, if deemed necessary. Below is a list of the documents submitted in chronological order herewith:

**2006:**

- Account Information Verification Form dated January 3, 2006, including a BMIS Customer Agreement from BMIS creating the Berger's account, and other new account documents
- Portfolio Management Reports as of March 31, 2006 (showing "starting equity" of \$210,372.84), June 30, 2006, September 30, 2006, and December 31, 2006
- Account Statement for the period ending January 31, 2006
- October 18, 2006 Letter to BMIS from Linda Berger enclosing check for \$37,000 as a contribution to the account
- October 19, 2006 confirmation slip demonstrating that the Bergers contributed \$37,000 to their BMIS account

**2007:**

- September 4, 2007 Letter to BMIS from Linda Berger requesting withdrawal of \$20,000
- Portfolio Management Reports as of March 31, 2007, June 30, 2007, September 30, 2007, and December 31, 2007
- Account Statement for the period ending September 30, 2007

**2008:**

- Portfolio Management Reports as of March 31, 2008, June 30, 2008, and September 30, 2008
- Account Statement for the period ending November 30, 2008
- November 2008 Trade Confirmation Slips
- December 11, 2008 Letter from the Berger's to BMIS requesting liquidation of account - NOTE: BMIS never responded to this letter or provided the Bergers the requested money.